



# Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

Thirty-Eighth Day

Tuesday Morning

April 13, 2021

The invocation was offered by Chaplain Pam Russell.

The House convened at 10:00 a.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Prescott.

The Speaker ordered the roll of the House to be called:

Abbott	Karickhoff
Andrade	King
Austin	Klinker
Aylesworth	Lauer
Baird	Ledbetter
Barrett	Lehe
Bartels	Lehman
Bartlett	Leonard
Bauer	Lindauer
Behning	Lucas
Borders	Lyness
Boy	Manning
Brown, T.	May
Campbell	Mayfield
Carbaugh	McNamara
Cherry	Miller
Clere	Moed <input type="checkbox"/>
Cook	Morris
Davis	Morrison
Davisson <input type="checkbox"/>	Moseley
DeVon	Negele
DeLaney	Nisly
Dvorak <input type="checkbox"/>	O'Brien
Eberhart <input type="checkbox"/>	Olthoff
Ellington	Pack
Engleman	Payne
Errington	Pfaff
Fleming	Pierce
Frye <input type="checkbox"/>	Porter
GiaQuinta	Prescott
Goodrich	Pressel
Gore	Pryor
Gutwein	Rowray
Hamilton	Saunders <input type="checkbox"/>
Harris	Schaibley
Hatcher	Shackleford
Hatfield	Slager
Heaton	Smaltz
Heine	Smith, V. <input type="checkbox"/>
Hostettler	Snow
Jackson	Soliday
Jacob	Speedy
Jeter	Steuerwald
Johnson <input type="checkbox"/>	Summers
Jordan	Teshka
Judy	Thompson

Torr  
VanNatter  
Vermilion  
Wesco

J. Young  
Zent  
Ziemke  
Mr. Speaker

Roll Call 416: 92 present; 8 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, April 14, 2021, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 20

The Speaker handed down Senate Concurrent Resolution 20, sponsored by Representative Errington:

A CONCURRENT RESOLUTION honoring Lt. Scott Hahn, firefighter Bryan Cook, and firefighter Edward Eviston for their heroic actions.

*Whereas, On February 15, 2021, a devastating house fire broke out along the 1600 block of West 16th Street in Muncie, Indiana;*

*Whereas, The fire broke out on the night of a winter storm, making conditions even more precarious with heavy snow and freezing temperatures;*

*Whereas, After learning that three individuals were stuck inside the burning house, Lt. Scott Hahn, firefighter Bryan Cook, and firefighter Edward Eviston did not hesitate in entering the flaming home to rescue those who were trapped inside;*

*Whereas, The team was confronted multiple times by flames with no hose line for protection from the fire, and yet they never turned back;*

*Whereas, The zero-visibility environment did not stop Eviston, Cook, and Hahn from locating and removing two of the individuals trapped inside the home within a mere ten minutes of the rescue team's arrival on the scene;*

*Whereas, Tragically, two individuals lost their lives, Virgil Dewayne Murray, 74, and Brenda Stanley, 70, and the third individual, a 54-year-old woman, was taken to the hospital;*

*Whereas, Hahn recognized that they could not have done the job alone, as the police and EMS teams on the scene played a vital role in the rescue of the victims and fighting the fire; and*

*Whereas, The immediate action taken by Hahn, Cook, and Eviston on that night was heroic: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly honors Lt. Scott Hahn, firefighter Bryan Cook, and firefighter Edward Eviston.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Lt. Scott Hahn, firefighter Bryan Cook, firefighter Edward Eviston, and the Muncie Fire Department

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

### House Resolution 43

Representative Bartlett introduced House Resolution 43:

A HOUSE RESOLUTION honoring Abby Vesga's contributions to her community.

*Whereas, Abby Vesga founded Laundry and More after her own experiences with homelessness and the struggle to find help in her time of need. She was inspired to act after seeing the struggles of families and individuals in her community;*

*Whereas, Laundry and More aids 40 to 60 families a week by providing the money and supplies do to their laundry, as well as extra hands to help. The supplies are regularly donated by generous community members;*

*Whereas, Families are welcome to come do their laundry every Tuesday morning and build a sense of pride in themselves and in their community. This weekly event brings comfort and hope to those who attend;*

*Whereas, Pastor Wade Apel of Servants of Christ Lutheran Church is delighted by the opportunity to help others and to see his community come together and smile thanks to Abby Vesga and Laundry and More;*

*Whereas, Abby Vesga's vision expands beyond laundry and impacts several other aspects of life. There are many services available, including dental and health care, connections for job opportunities, the option for the connection of religion, and even access to good food;*

*Whereas, Laundry and More has partnered with many organizations to help bring a wide variety of resources and experiences to the individuals they help;*

*Whereas, Through Laundry and More, Abby Vesga has been able to give a helping hand to more than a thousand families in her community and has restored a sense of belonging and stability in their lives; and*

*Whereas, Abby Vesga brings pride and hope to her community through her service and dedication to helping others: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives honors Abby Vesga for her contribution of vital services to her community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative John L. Bartlett for distribution.

The resolution was read a first time and adopted by voice vote.

### House Resolution 44

Representative Johnson introduced House Resolution 44:

A HOUSE RESOLUTION recognizing Ashley Janette Miser.

*Whereas, Ms. Ashley Janette Miser serves the Indianapolis community as vice president of IndyHub;*

*Whereas, IndyHub is a local nonprofit with a mission to grow, engage, and empower a community of "20- and 30-somethings" who are meaningfully connected to Indianapolis and invested in its future;*

*Whereas, Ms. Miser graduated from Indiana University in 2011, and she began her career in the classroom, serving as an elementary school teacher in the Zionsville Community Schools before following her calling to the nonprofit sector;*

*Whereas, Ms. Miser joined Girls Inc. of Greater Indianapolis as program coordinator in 2011 where she empowered young girls to be confident in themselves, prepared for their future, proud of who they are, and ready to take their place in the world;*

*Whereas, Ms. Miser joined IndyHub in 2016 as the community and events manager and rose to the position of vice president in 2020;*

*Whereas, Ms. Miser, displays a commitment to the city of Indianapolis that has been recognized by her peers; and*

*Whereas, Ms. Miser leads with a selfless leadership, tireless commitment, and a relentless pursuit of results for the betterment of all Hoosiers in Indianapolis and central Indiana: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives recognizes Ms. Ashley Janette Miser for her many contributions in her community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of Indiana Representative Blake Johnson.

The resolution was read a first time and adopted by voice vote.

### House Concurrent Resolution 40

Representative Errington introduced House Concurrent Resolution 40:

A CONCURRENT RESOLUTION honoring and remembering the life of Officer Eric Talley.

*Whereas, Officer Eric Talley heroically gave his life to save many others from a gunman on March 22, 2021;*

*Whereas, Eric Talley was born in Houston, Texas, on September 26, 1969. He was a doting and protective older brother to his sister, Kirstin Brooks, taking the blame whenever she was in trouble and fending off those who tried to pick on her. He spent much of his younger years in New Mexico, where he graduated from Highland High School in 1988;*

*Whereas, Eric Talley married the love of his life, Leah, on August 19, 1993. They had seven children together, whom they happily home schooled and doted on;*

*Whereas, Eric Talley attended Ball State University in Muncie, Indiana, from 1997 to 2004. He earned his bachelor's degree in computer science and his masters degree in information computer science;*

*Whereas, While attending classes, Talley worked with the American School of tae kwon do, and won the sparring category men's brown belt division tournament in 2000. He later became a black belt in karate, as well. During college, Eric volunteered as an instructor in the Fitness Center at Indiana University Health Ball Memorial Hospital;*

*Whereas, After graduating from Ball State, Eric Talley worked in the technology industry for six years. He was known to be a helpful alumnus, aiding students in finding jobs in the*

technology industry after they graduated;

Whereas, After a close friend died in a DUI crash, Eric left the stability of his IT job to join the Boulder Police Department, at age 40. He enjoyed the opportunity to serve his family and his community as a whole every day. Eric's dedication to his community took shape in the community based police initiative he helped to create in the Martin Acres neighborhood in 2015;

Whereas, Eric made sure to spend time with each of his seven children individually, even with a full-time job. He wanted each one to feel loved and special, and he was known to play board games, ride four-wheelers, and do crafts with them;

Whereas, Officer Eric Talley treated his fellow officers like family. He was known to bring board games into work that he had enjoyed playing with his family to make his co-workers laugh and smile. Eric was known as talkative and energetic, fueled by enthusiasm and Mountain Dew, but even more so after he won the game he brought;

Whereas, Eric Talley was a gentle person and compassionate toward both humans and animals. He supported the American Society for the Prevention of Cruelty to Animals. Eric was also one of three officers to rescue 11 ducklings and their mother from a drainage ditch, crawling into pipes after them;

Whereas, The Boulder Police Department gave one of Eric's sons the Life Saver Award after performing CPR, which Eric had taught the whole family, on a relative who choked on a quarter;

Whereas, Officer Eric Talley was the first officer on the scene at King Sooper's, a supermarket, on March 22, 2021, where an active gunman was shooting at families and individuals who were shopping there. After his arrival, he led a team inside to confront the shooter. No more civilians were hurt after the officers entered, but in the volley of shots between the gunman and police, Officer Eric Talley was fatally wounded. Officer Talley was one of the ten victims that day, heroically giving his life to save other innocent individuals from harm. Those who knew him well say he was concerned about saving as many people as he could, especially children; and

Whereas, Officer Eric Talley will be remembered fondly for his devoted service to his community and his love for his family. He saved many lives, at a terrible, heroic cost. Therefore:

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly honors and remembers the life of Officer Eric Talley for his service and sacrifice to his community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Sue Errington for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Lanane.

### **House Concurrent Resolution 41**

Representative King introduced House Concurrent Resolution 41:

A CONCURRENT RESOLUTION recognizing the impact and achievements of Das Dutchman Essenhaus.

Whereas, Das Essenhaus was founded in 1971 by Bob and Sue Miller in Middlebury, Indiana. The family has owned and managed the restaurant during the 50 years of service since its inception;

Whereas, Das Essenhaus is a local favorite, known for treating guests like family, even using the Millers' own family recipes in a homestyle setting;

Whereas, Bob and Sue Miller serve their community outside of the restaurant in a multitude of ways. They have each been on multiple boards for causes that impact their community and have each received an honorary doctor of commercial science degree from Huntington University. They have also earned many awards such as the Book of Golden Deeds Award and the Will Koch Indiana Tourism Award. Sue was recognized as Elkhart County's Woman of the Year in 1996.

Whereas, Due to the popularity of the restaurant, several expansions have been made, allowing Das Essenhaus to seat more than 1,100 guests at a time, making it the largest restaurant in Indiana. On a busy day, it will serve more than 7,000 customers;

Whereas, Das Essenhaus diversified its business to bring more revenue and tourism to the area. There are now several shops, a bakery, an inn with a pool, a theater, and several other activities and events to attract tourists. Das Essenhaus is a major employer in the area, providing jobs for approximately 500 people from the community;

Whereas, In one week, Das Essenhaus uses up to 2,100 dozen eggs, 2,700 pounds of white sugar, 60 gallons of apple butter, 3.5 tons of potatoes, 2,990 heads of lettuce, 2,600 chickens, and 3,090 pounds of roast beef. The bakery typically makes 5,000 to 6,000 pies each year for Thanksgiving, while its record in a single day was 2,103 pies;

Whereas, In the adversity of the COVID-19 pandemic, Das Essenhaus has risen to the challenge of providing a safe, socially distanced restaurant experience while staying true to its cozy, family atmosphere;

Whereas, Finding a balance between safety, fun, and profitability has been a major concern for many businesses and restaurants during this time. Many unique Hoosier-owned business have struggled or failed. Das Essenhaus has survived with the generous support of its beloved community during these difficult times; and

Whereas, Das Essenhaus has provided jobs to the local community, opportunities for other businesses to prosper from tourism, and plenty of food to all of the friends and guests who have come for a homestyle meal for the last 50 years: Therefore,

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes the impact of Das Dutchman Essenhaus on the community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Joanna King for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Doriot.

### **House Concurrent Resolution 42**

Representative Saunders introduced House Concurrent Resolution 42:

A CONCURRENT RESOLUTION honoring Grede Casting Industry for its 100 years of business.

Whereas, Grede Foundries, Inc. was founded in August 1920 by Bill Grede in Wisconsin. The company employed 40 people and produced a thousand tons of goods in their first year of business;

*Whereas, Despite the major challenges of the Great Depression, World War II, and the recession in the 1980s, Grede Casting Industry continued to thrive and grow with new locations and business acquisitions;*

*Whereas, Grede Casting Industry has 10 facilities across the United States, with approximately 3,800 employees nationwide. Grede Casting Industry expanded to New Castle, Indiana, in 1989;*

*Whereas, Grede Casting Industry produces vital safety devices, agricultural equipment, and automotive products. The quality and precision of these products are crucial to keeping families and individuals safe;*

*Whereas, Grede Casting Industry recycles approximately 406,000 tons every year;*

*Whereas, Grede's facility in New Castle has produced approximately 1,495,000 pieces and 95,550,200 shipping pounds to date;*

*Whereas, Grede's facility in New Castle has proudly received numerous awards, including: the Ford Q1 Preferred Supplier, the Liberty Mutual Safety Excellence Award, and the American Foundry Society Safety Award. In 2016 and 2017, Grede Holdings, LLC received the Energy Star Partner of the Year Award for Energy Management, becoming the first large foundry in the United States to receive the honor; and*

*Whereas, Grede Casting Industry of New Castle exemplifies the core values of integrity, product excellence, united and respectful teams, and exceeding the expectations of employees and shareholders while remaining cognizant of the needs of the communities in which they work and serve: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates Grede Casting Industry on 100 years of hard work and excellence.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Thomas Saunders for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Leising.

### **House Concurrent Resolution 43**

Representative Campbell introduced House Concurrent Resolution 43:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a portion of road after Second Lieutenant Harry J. Michael.

*Whereas, Harry J. Michael was a lifelong Hoosier born on March 13, 1922, in Benton, Indiana, and grew up a farm boy in Milford;*

*Whereas, Harry went on to study agriculture at Purdue University, where he was called from his education to serve in the United States Army and put the needs of the nation first;*

*Whereas, Second Lieutenant Michael is the only Purdue student or faculty member awarded the Congressional Medal of Honor;*

*Whereas, 2LT Michael was killed in the line of duty while serving in Company L, 3d Battalion, 318th Infantry Regiment, 80th Infantry Division during World War II;*

*Whereas, 2LT Michael served as a rifle platoon leader when his company began an assault on a wooded ridge northeast of*

*the village of Neiderzerf, Germany, on March 13, 1945;*

*Whereas, 2LT Michael, at the head of his platoon, heard the click of an enemy machine gun bolt and halted his company before moving into the woods and discovering two enemy machine gun crews;*

*Whereas, 2LT Michael caught the enemy by surprise when he executed a sudden charge, leading to the capture of both guns and crews;*

*Whereas, 2LT Michael's actions continued the next day when he led his platoon at daybreak in a flanking movement on the enemy's position. Bitter fighting led to the capture of 25 members of an SS mountain division, three artillery pieces, and 20 horses;*

*Whereas, 2LT Michael fought bravely, making two personal reconnaissance missions of the woods on his left flank, where he killed two, wounded four, and captured 13 enemy soldiers before leading his platoon in a successful assault on a line of enemy pillboxes, capturing the objective, killing 10 enemies and capturing 30 additional prisoners;*

*Whereas, 2LT Michael was shot and killed while investigating sniper fire directed at his company the next morning; and*

*Whereas, It is fitting that the Indiana General Assembly recognize the heroic actions of 2LT Harry J. Michael as a Hoosier and a soldier in the U.S. Army: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly remembers the heroic actions of Second Lieutenant Harry J. Michael.

SECTION 2. That the Indiana General Assembly urges the Indiana Department of Transportation to rename a portion of US Highway 231 from Lindberg Road to the intersection of US 52 and Sagamore Parkway West in West Lafayette, Indiana, the "Harry J. Michael Memorial Highway".

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Commissioner of the Indiana Department of Transportation, the Tippecanoe County Veterans Council, the office of State Representative Chris Campbell, and the office of State Senator Ron Alting.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

### **MOTIONS TO CONCUR IN SENATE AMENDMENTS**

#### **HOUSE MOTION**

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1110.

**BARTELS**

Roll Call 417: yeas 81, nays 10. Motion prevailed.

Representative Dvorak, who had been excused, is now present.

#### **HOUSE MOTION**

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1313.

**CLERE**

Roll Call 418: yeas 92, nays 0. Motion prevailed.

#### **HOUSE MOTION**

Mr. Speaker: I move that the House concur in the Senate

amendments to Engrossed House Bill 1392.

ZENT

Roll Call 419: yeas 92, nays 0. Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1448.

TORR

Roll Call 420: yeas 92, nays 0. Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1485.

WESCO

Roll Call 421: yeas 87, nays 5. Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1541.

MANNING

Roll Call 422: yeas 92, nays 0. Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1558.

STEUERWALD

Roll Call 423: yeas 91, nays 1. Motion prevailed.

Representative Johnson, who had been excused, is now present.

### ENGROSSED SENATE BILLS ON THIRD READING

#### Engrossed Senate Bill 188

Representative Young called down Engrossed Senate Bill 188 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 424: yeas 91, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### Engrossed House Bill 245

Representative Smaltz called down Engrossed Senate Bill 245 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

#### HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Senate Bill 245. Pursuant to House Rule 46, the reason for the request is the following:

I have a conflict of interest in the matter before the House which could reasonably be expected to have a unique, direct and substantial effect on my personal or pecuniary interest in a business for which I have partial ownership.

LEHE

Motion prevailed.

Roll Call 425: yeas 87, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Abbott and Morrison, who had been present, are now excused.

#### Engrossed Senate Bill 377

Representative Soliday called down Engrossed Senate Bill 377 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 426: yeas 89, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

### CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

HB 1395      Conferees:    Eberhart and Dvorak

Advisors:    Abbot, Ellington and Boy

HB 1447      Conferees:    Vermilion and Austin

Advisors:    Schaibley, Carbaugh and Shackleford

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

SB 8          Conferees:    Negele and Harris

Advisors:    Torr, Jeter, Moseley and Gore

SB 55          Conferees:    Teshka and V. Smith

Advisors:    Thompson, Jordan and DeLaney

SB 409          Conferees:    Slager and Campbell

Advisors:    Goodrich, Aylesworth, Hatcher and Moed

The House recessed until the fall of the gavel.

### RECESS

The House reconvened at 1:34 p.m. with the Speaker in the Chair.

Upon request of Representative Karickhoff, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 427: 96 present. The Speaker declared a quorum present.

Representatives Speedy and Thompson, who had been excused, are now present.

Representatives Eberhart and Saunders, who were present, are now excused.

### RESOLUTIONS ON FIRST READING

#### Senate Concurrent Resolution 19

The Speaker handed down Senate Concurrent Resolution 19, sponsored by Representatives Errington, Andrade, Austin,

Bartlett, M. Bauer, Boy, Campbell, DeLaney, Dvorak, Fleming, GiaQuinta, Gore, Hamilton, Harris, Hatcher, Hatfield, Jackson, Johnson, Klinker, Moed, Moseley, Pack, Pfaff, Pierce, Porter, Pryor, Shackelford, V. Smith and Summers:

A CONCURRENT RESOLUTION memorializing First Lady Susan Bayh.

*Whereas, Susan Bayh passed away on February 5, 2021, in McLean, Virginia;*

*Whereas, First Lady Susan Bayh was born on November 28, 1959 in Whittier, California, to Robert (Bob) and Carol Breshears;*

*Whereas, First Lady Susan Bayh grew up in La Canada, California, where she was an honor student, class officer throughout all four years of her attendance at La Canada High School, an active cheerleader, and volleyball champion;*

*Whereas, First Lady Susan Bayh attended college at the University of California Berkley, where she was a cheerleader, member of Alpha Phi, Miss Southern California in 1978, and a princess in the Rose Bowl Parade;*

*Whereas, After graduating from the University of California Berkley in 1981 with a bachelor's degree in political science, and having interned for Representative Pete Stark in Washington, D.C., First Lady Susan Bayh went on to earn her Juris Doctorate at the University of Southern California and graduated in 1984;*

*Whereas, First Lady Susan Bayh had a successful career as an attorney, practicing law at two of the most renowned law firms in America: Gibson, Dunn & Crutcher in Washington, D.C., and Barnes and Thornburg in Indianapolis;*

*Whereas, First Lady Susan Bayh met the love of her life, Governor Birch Evans Bayh III, and the two married on April 13, 1985, and Governor Bayh and First Lady Susan Bayh, and they would go on to serve two terms;*

*Whereas, First Lady Susan Bayh served as Indiana's forty-sixth first lady, and was the youngest first lady in one hundred fifty years and the only Indiana first lady in a century to have children while her husband was in office, giving birth to twin boys, Nicholas Harrison (Nick) and Birch Evans IV (Beau) in 1995;*

*Whereas, First Lady Susan Bayh created a non-profit to combat adult illiteracy, worked as an attorney for Eli Lilly, where she handled the company's federal regulatory issues from 1989 to 1994, did a weekly parenting segment for an Indianapolis TV station, and taught at Butler University as a distinguished visiting professor beginning in 1994;*

*Whereas, Beginning in 1994, First Lady Susan Bayh served on fourteen boards for corporations ranging from biotechnology to healthcare and telecommunications, and she continued to be involved in higher education throughout her life by serving on the board of trustees at Butler University, serving on the Dean's Council at Indiana University's Paul H. O'Neill School of Public and Environmental Affairs, and as an adjunct Professor at her alma mater, the University of Southern California, where she mentored students and helped law students get public service internships;*

*Whereas, In 1994, First Lady Susan Bayh was appointed by President Bill Clinton to serve as a Commissioner of the International Joint Commission of the Water Treaty Act between the United States and Canada, where she oversaw compliance with environmental, water, and boundary treaties until 2001;*

*Whereas, First Lady Susan Bayh brilliantly and successfully balanced public service, being a mother, and having an extensive career;*

*Whereas, Throughout her two year and eight month battle with cancer, First Lady Susan Bayh remained a positive, courageous, and inspirational beacon of light, always showing her love to others; and*

*Whereas, First Lady Susan Bayh leaves a legacy of generosity, love, and hope, and her passing will be deeply mourned by all those she knew, including her husband, Governor Bayh, her two sons Nicholas Harrison Bayh and Birch Evans Bayh IV, her parents Robert and Carol Breshears, her brother Robert (Bob) Jr., her sisters Ann and Linda, and her many nieces and nephews: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly memorializes First Lady Susan Bayh.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to First Lady Susan Bayh's husband, Governor Bayh, and her sons, Birch Evans Bayh IV and Nicholas Harrison Bayh

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

### **House Concurrent Resolution 45**

Representative Frye introduced House Concurrent Resolution 45:

A CONCURRENT RESOLUTION recognizing Indiana Task Force One.

*Whereas, Indiana Task Force One is one of 28 urban search and rescue teams in the country;*

*Whereas, The team consists of 70 multifaceted and cross-trained personnel who serve in six major functional areas: search, rescue, medical, hazardous materials, logistics, and planning;*

*Whereas, Indiana Task Force One was created in 1992 and is sponsored by the city of Indianapolis under the Indianapolis Fire Department and 29 other participating agencies, many of which are located in central Indiana;*

*Whereas, Indiana Task Force One is comprised of emergency responders from fire departments in and around Marion County and civilians, including physicians, paramedics, engineers, damage-structure specialists, and search dogs and their handlers;*

*Whereas, Indiana Task Force One has been deployed three times in Indiana to assist local emergency personnel in search and rescue operations after tornadoes in Klondike, Evansville, and Henryville;*

*Whereas, The task force has also deployed to national disasters, including the Oklahoma City bombing, the attack on the World Trade Center on September 11, 2001, Hurricane Katrina, Hurricane Harvey in Houston, Texas, Hurricane Irma in Florida, Hurricane Maria in Puerto Rico, Hurricane Olivia in Hawaii, Hurricane Florence in North Carolina, and Hurricane Michael in Florida;*

*Whereas, The task force deployed to assist search and rescue operations with other federal and state of Texas personnel in the Houston, Beaumont, and Port Arthur, Texas, metro areas;*

*Whereas, The task force also provided support to the Federal Emergency Management Agency (FEMA) by sending additional personnel to support decontamination of personnel and equipment during Hurricanes Harvey and Irma; and*

*Whereas, The selfless and heroic efforts of these brave men*

*and women help keep Americans safe during times of natural or manmade disaster: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly honors and recognizes the members of Indiana Task Force One for their commitment to public safety and disaster response in the state of Indiana and the United States of America.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Indiana State Representative Randall Frye for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Crider.

#### House Concurrent Resolution 44

Representative Lindauer introduced House Concurrent Resolution 44:

A CONCURRENT RESOLUTION honoring the Barr-Reeve High School boys' basketball team.

*Whereas, The Barr-Reeve High School boys' basketball team won the 2021 Class 1A IHSAA State Championship on April 3, 2021;*

*Whereas, This is the second state title in program history, following the 2015 team;*

*Whereas, The Barr-Reeve Vikings defeated the Kouts Mustangs 64-48;*

*Whereas, This outstanding team finished the season ranked number one with a record of 29 wins and 2 losses;*

*Whereas, The Barr-Reeve Vikings were coached by Josh Thompson;*

*Whereas, The Barr-Reeve Vikings were led by Curt Hopf, who had 23 points and a record 19 rebounds in the championship game;*

*Whereas, Vikings senior Brycen Graber set a new record with 13 assists, which is the most in class 1A title history;*

*Whereas, The Barr-Reeve Vikings never trailed at any point in the championship game;*

*Whereas, It is fitting that the Indiana General Assembly recognize these young men for their hard work, determination, and skill displayed in a memorable basketball season; and*

*Whereas, The Indiana General Assembly wishes the athletes of the Barr-Reeve basketball program continued success in their endeavors: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly honors the Barr-Reeve High School boys' basketball team as 2021 Class 1A state title champions.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Shane Lindauer for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Bassler.

#### House Resolution 45

Representative Karickhoff introduced House Resolution 45:

A HOUSE RESOLUTION honoring David Michael Capshaw.

*Whereas, David Michael Capshaw was born December 15, 1949, in Kokomo, Indiana, and has remained a lifelong resident of Kokomo;*

*Whereas, David graduated from Kokomo High School in 1968, married Alice Rayle in 1969, and raised two children, Chris and Jennifer;*

*Whereas, In August 1968, David answered the call to duty and joined the United States Navy, where he served for four years;*

*Whereas, While in the Navy, David earned the rank of Aviation Electrician's Mate, AE2, and served on the USS Ticonderoga during the Vietnam War, earning National Defense, Good Conduct, and Vietnam Service medals;*

*Whereas, Upon completion of his naval service, David was hired by the Kokomo Fire Department in 1973 and served 20 years;*

*Whereas, David is recognized as a pillar in his community, and he and his fellow fire fighters provide the greater Kokomo community with vital public safety services;*

*Whereas, David's commitment to service is exemplified by his contributions as a member of the Veterans of Foreign Wars (VFW), Post 1152;*

*Whereas, While serving in the VFW, David leads by example and has lent his time and talent working in multiple roles over a 30 year span;*

*Whereas, David Capshaw is the longest serving VFW commander in the history of the State of Indiana due to taking over the position midterm and following through a second individual term; and*

*Whereas, David Michael Capshaw, in his family life, veteran career, and firefighting duties, is an American hero: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives honors David Michael Capshaw for his many years of service in his community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Michael Karickhoff for distribution.

The resolution was read a first time and adopted by voice vote.

Representatives Eberhart and Saunders, who were excused, are now present.

### ENGROSSED SENATE BILLS ON THIRD READING

#### Engrossed Senate Bill 389

Representative Lehman called down Engrossed Senate Bill 389 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 428: yeas 58, nays 40. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 416**

Representative Morrison called down Engrossed Senate Bill 416 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 429: yeas 94, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Thompson, who had been present, is now excused.

**Engrossed Senate Bill 414**

Representative Behning called down Engrossed Senate Bill 414 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 430: yeas 66, nays 29. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Speedy, who had been present, is now excused.

**Engrossed Senate Bill 413**

Representative Behning called down Engrossed Senate Bill 413 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 431: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 373**

Representative Lehe called down Engrossed Senate Bill 373 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 432: yeas 65, nays 30. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 353**

Representative Wesco called down Engrossed Senate Bill 353 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 433: yeas 71, nays 22. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 325**

Representative Manning called down Engrossed Senate Bill 325 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 434: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 310**

Representative Smaltz called down Engrossed Senate Bill 310 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 435: yeas 87, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 301**

Representative DeVon called down Engrossed Senate Bill 301 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 436: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Goodrich and Leonard, who had been present, is now excused.

**Engrossed Senate Bill 205**

Representative DeVon called down Engrossed Senate Bill 205 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 437: yeas 63, nays 26. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

## **MOTIONS TO DISSENT FROM SENATE AMENDMENTS**

### **HOUSE MOTION**

Mr. Speaker: I move that concurrence filed on April 8, 2021 be withdrawn and that the House do now dissent from Senate amendments to Engrossed House Bill 1372 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BARRETT

Motion prevailed.



**CONFEREES AND ADVISORS APPOINTED**

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 5            Removing Representative Austin as conferee  
                  and adding Pierce  
                  Removing Pierce as advisor

**OTHER BUSINESS ON THE SPEAKER'S TABLE**

HOUSE MOTION

Mr. Speaker: I move that Representative Bartels be added as cosponsor of Engrossed Senate Bill 245.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett and Schaibley be added as cosponsors of Engrossed Senate Bill 325.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 413.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 414.

BEHNING

Motion prevailed.

On the motion of Representative Abbott, the House adjourned at 3:56 p.m., this thirteenth day of April, 2021, until Wednesday, April 14, 2021, at 10:00 a.m.

TODD M. HUSTON

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives